

MARK UP OF THE SPECIFICATION

Page 8, first full paragraph:

It was determined that advantageous benefits can be achieved when ultrasound is applied at a pulse duration τ not greater than about 100 milliseconds (msec). A range of about 0.01 to 100 milliseconds is preferred. Also, pulse repetition periods T below about 1 second are preferred, as are pulse repetition periods in the range 1 millisecond to 1 second. Duty ratios $T/\tau \geq$ about 5, and preferably $[\leq] \geq$ about 8, are preferred.

MARKED-UP COPY OF CLAIMS

9. (Twice Amended) The method of claim 1, wherein pulse duration $\tau =$ from about 0.01 to 2.0 milliseconds.

10. (Twice Amended) The method of claim 1, wherein pulse duration $\tau =$ from about 0.02 to 1.1 milliseconds.

11. (Twice Amended) The method of claim 1, wherein pulse duration $\tau =$ from about 0.1 to 0.3 milliseconds.

35. (Twice Amended) The method of claim 1, wherein the [device] transducer is operated at a duty ratio of [about] \geq about 5.

36. (Twice Amended). The method of claim 1, wherein the [device] transducer is generated at a duty ratio of [about] \geq about 8.

REMARKS

In the amendments above, the specification has been amended to refer to the parent U.S. patent application and to correct a typographical error, and Claims 9-11, 35, and 36 have been amended and Claim 17 has been cancelled to more particularly point out and distinctly claim Applicants' invention.

According to the October 30, 2001 Office Action, the disclosure has been objected to. The Examiner's attention is directed to the amendments above, wherein pages 1 and 8 have been amended. It is believed that said amendments overcome the basis of the Examiner's objections.

Claim 9-12, 15, 16, 35 and 36 were rejected under 35 USC §112, second paragraph, as being indefinite. The Examiner's attention is again directed to the amendments above, wherein said amendments are believed to overcome the basis of the §112 rejection.

Claims 1, 17, 18, 35 and 36 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of U.S. Patent No. 6,113,558. While Applicants do not necessarily agree that said rejection is appropriate, Applicants enclose herewith an executed Terminal Disclaimer.

Further enclosed is an Information Disclosure Statement intended to make of record herein the references considered by the Examiner in the parent U.S. Patent application that issued on U. S. Patent No. 6,113,558.

Reconsideration and allowance of the claims herein are respectfully requested.

Respectfully submitted,

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